

tion, as well as the inability of the court to interfere, has had a powerful effect in opening the eyes of the advocates of public ownership to the necessity of taking care that, in pursuit of that object, justice, as well as economy, is kept in view. The language of Chief Justice Falconbridge in giving judgment in the case referred to may well be taken as shewing the dangers to which the doctrine of provincial rights, unrestrained by any authority either of the courts of justice, or of a superior legislature, may expose the people of this country. He says:—

“We have heard a great deal recently,” the judge says, “about the jurisdiction of the province, a great deal of complaint about the exercise of its powers; but there is no doubt the highest authority has declared that within its own jurisdiction it is supreme; in fact, while it seems rather severe, I suppose there is not any doubt it has been conceded in recent cases that if the Legislature had chosen to confiscate—the word that is used—the farm of the plaintiff without any compensation they would have had a perfect right to do it in law, if not in morals.”

Public or municipal ownership of what are called public utilities may be something to be desired, but it must not be sought for at the expense of private property unless full compensation is awarded, nor in violation of contracts without the consent of all concerned, and not at all if a breach of any personal right, or denial of justice, is involved. In the attempt to carry out the scheme of the Hydro-Electric Commission every one of these principles is violated, and for this statement we have the unquestioned authority of the most eminent judges of the land.

The power of confiscation, so plainly referred to in the case of *Felker v. McGuigan*, conveys a very unpleasant idea to all but the confirmed socialist, who scoffs at the notion of private rights, and it has caused a decided change in the view of this question by one leading journal which has hitherto given an unhesitating support to the policy of the Ontario Government, but which now declares that the judgment above quoted “can-